

191—104.1(523A,82GA,SF559) Continuing education requirements.

104.1(1) Credits. For each license term, each licensed sales agent shall be required to complete a minimum of eight credits of continuing education approved by the commissioner. At least two credits, to be known as the ethics and legal requirements continuing education requirement, must cover subjects relating to business ethics, the legal requirements of Iowa Code chapter 523A, 191—Chapters 100 through 106 and other relevant federal and state laws and rules, such as the Federal Trade Commission Funeral Rule (16 CFR Part 453).

a. Automatic exemption. A sales agent shall be exempt from the continuing education requirements during any biennium in which the sales agent can demonstrate that any of the following apply:

- (1) The sales agent served honorably on active duty in military service;
- (2) The sales agent resided in another state having comparable continuing education requirements and the sales agent met all the requirements of that state;
- (3) The sales agent was a government employee working in the sales agent's area of specialty and was assigned to duty outside the United States; or
- (4) The sales agent was absent from this state while engaged in an approved, active practice under circumstances approved by the commissioner.

b. Continuing education exemption for disability or illness. A sales agent who has had a physical or mental disability or illness during the biennium may apply for an exemption.

(1) An exemption will provide for an extension of time or an exemption from some or all of the continuing education requirements.

(2) A sales agent applying for an exemption shall submit a completed application on a form approved by the commissioner. An exemption for disability or illness will not be granted without the signature of a licensed health care professional who can attest to the existence of a disability or illness during the biennium. If the application is from a person who is the primary caregiver to a relative who is ill or disabled and needs care from that primary caregiver, the physician shall verify the applicant's status as the primary caregiver.

(3) The commissioner will grant or deny exemption applications in writing. The terms of the exemption, including any conditions that must be met and the length of any extension of time, shall be set forth in the commissioner's exemption confirmation letter.

(4) If the exemption is approved, the sales agent shall retain a copy of the exemption confirmation letter for no less than four years.

(5) The sales agent must apply for a new exemption if the physical or mental disability or illness continues into the next biennium or beyond the time period approved by the commissioner.

104.1(2) Effective date. Continuing education is a prerequisite for the renewal of any sales agent license for which a renewal application is filed on or after July 1, 2008.

104.1(3) Compliance period. A sales agent's continuing education compliance period shall coincide with the sales agent's license term.

104.1(4) Carryover and expiration of credits. Additional credits that exceed the minimum requirements of this rule may be carried over into the next biennium. However, each sales agent must earn at least one new credit of ethics and legal requirements continuing education during each biennium. A sales agent with an inactive license seeking renewal may use credits not previously reported to the commissioner, regardless of the date earned, for purposes of reinstatement of the license.

104.1(5) Denial of sales agent license renewal application. The commissioner may deny a sales agent license renewal application that does not demonstrate compliance with the rules of this chapter.

104.1(6) Disqualification and replacement of credits. If, as a result of a review, the commissioner determines that certain continuing education coursework does not qualify for credit, a sales agent may be given an opportunity to submit new credits to replace any credits that are not allowed.

104.1(7) Current mailing address. A sales agent's failure to provide a current mailing address to the commissioner and the resulting failure to receive notices or letters from the commissioner regarding continuing education requirements and reporting shall not absolve the sales agent from the requirements of this chapter and shall not provide good cause for any waiver or exemption.